

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

ZO SKIN HEALTH, INC.,

Plaintiff,

vs.

LE EYELASH OC, d/b/a LE EYELASH OC, d/b/a
FIJI UNLIMITED, INC.,

Defendant.

8:21CV201

ORDER TO SHOW CAUSE

This matter comes before the court after a review of the docket and pursuant to NECivR [41.2](#), which states in relevant part: “At any time, a case not being prosecuted with reasonable diligence may be dismissed for lack of prosecution.”

Plaintiff commenced this action on May 27, 2021. ([Filing No. 1](#)). The court twice granted Plaintiff’s motions for extensions of time to serve the defendant. (Filing No. 11; Filing No. 16). On October 5, 2021, Plaintiff filed a summons return purporting to show the defendant was served on September 29, 2021. ([Filing No. 17](#)). To date, the defendant has not filed any responsive pleading and Plaintiff has taken no further action in this case. Plaintiff has a duty to prosecute the case and may, for example, seek default in accordance with the applicable rules, voluntarily dismiss the case, or take other action as appropriate. Under the circumstances, Plaintiff must make a showing of good cause for failure to prosecute or the action will be dismissed. Accordingly,

IT IS ORDERED: On or before **December 15, 2021**, Plaintiff must show cause why this case should not be dismissed for failure to prosecute or take some other appropriate action.

Dated this 29th day of November, 2021.

BY THE COURT:

s/Michael D. Nelson
United States Magistrate Judge